

Honorable Frederick P. Corbit
Chapter 11

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON

In Re:

LLS AMERICA, LLC, et al.,

Debtors¹

No. 09-06194-FPC11

NOTICE OF MOTION FOR LEAVE TO
FILE CLAIMS AGAINST THE
LIQUIDATING TRUSTEE AND
TRUSTEE'S ATTORNEYS OUTSIDE
THE BANKRUPTCY COURT

PLEASE TAKE NOTICE that Creditors and judgment debtors, Ronald Ponton and Tomika Ponton (Collectively, the "Pontons") by and through their undersigned counsel, hereby move the Court for entry of an order granting the Pontons leave to file a lawsuit against the Trustee and his attorneys in the United States District Court of the Western District of Washington for claims under the Consumer Protection Act, the Collection Agency Act and for Abuse of Process that stem from unlawful debt collection practices through attempts to collect on a judgment through unlawful garnishment ("Motion"). By this Motion, the Pontons request that the Court enter an order allowing the Pontons to raise certain of their claims at this stage, or risk losing them. Fed. R. Civ. P. 13(a).

YOU ARE NOTIFIED that any objection to the relief requested by the Pontons must be

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AGAINST TRUSTEE - 1

HENRY & DEGRAFF, P.S.
113 CHERRY ST., PMB 58364
SEATTLE, WA 98104
V (206) 330-0595 / F (206) 400-7609

1 in writing, must be filed with the Clerk of the United States Bankruptcy Court, 904 West Riverside
2 Avenue, Spokane, WA 99201, and must be served upon the undersigned attorney at the address
3 set forth in the caption of the notice no later than twenty-seven (27) days from the date of this
4 notice (December 15, 2022).

5 Pursuant to Local Rule 2002-1(f)(1) and (2), any objection shall state the grounds
6 therefore. If an objection states no grounds, the Court may strike the objection on an ex parte
7 motion of the moving party. The moving party, however, may make such ex parte motion to strike
8 only after the objecting party fails within seven (7) days, to respond to a request by the moving
9 party for a brief statement of the grounds of the objection. If a valid objection is validly filed, the
10 Pontons will promptly request a hearing date from the Court.
11

12 PLEASE TAKE FURTHER NOTICE that copies of the Motion and related documents
13 may be reviewed and copied at the Office of the Clerk of the United States Bankruptcy Court,
14 904 West Riverside Avenue, Spokane, WA 99201, or may be obtained by submitting a written
15 request to Ms. Christina L. Henry, attorney, Henry & DeGraaff, P.S., 113 Cherry St, PMB 58364,
16 Seattle, WA 98104, or emails to chenry@hdm-legal.com.
17

18 SHOULD YOU FAIL TO SO OBJECT WITHIN THE TIME SET FORTH ABOVE,
19 RELIEF REQUESTED MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF
20 YOU HAVE NO OBJECTION, YOU NEED NOT TAKE ANY ACTION.

21 Dated November 18, 2022

22 /s/ Christina L Henry
23 Christina L Henry, WSBA 31273
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was electronically filed with the Clerk of Court using the CM/ECF system, which will send notification of filing to the CM/ECF participants below.

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13 Executed this 18th day of November, 2022 at Bothell, WA.

14 /s/ Christina L Henry
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